PRO BONO



PRO BONO - Lit. For the good; used to describe work or services (e.g. legal services) done or performed free of charge. (Black's Law Dictionary $5^{\rm th}$ Edition)

STATE OF INDIANA

OATH OF ATTORNEYS

I DO SOLEMNLY SWEAR or affirm that: I will support the Constitution of the United States and the Constitution of the State of Indiana; I will maintain the respect due to courts of justice and judicial officers; I will not counsel or maintain any action, proceeding, or defense which shall appear to me to be unjust, but this obligation shall not prevent me from defending a person charged with crime in any case; I will employ for the purpose of maintaining the causes confided to me, such means only as are consistent with truth, and never seek to mislead the court or jury by any artifice or false statement of fact or law; I will maintain the confidence and preserve inviolate the secrets of my client at every peril to myself; I will abstain from offensive personality, and advance no fact prejudicial to the honor or reputation of a party or witness, unless required by the justice of the cause with which I am charged; I will not encourage either the commencement or the continuance of any action or proceeding from any motive or passion or interest; I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed; so help me God.

DISTRICT 7

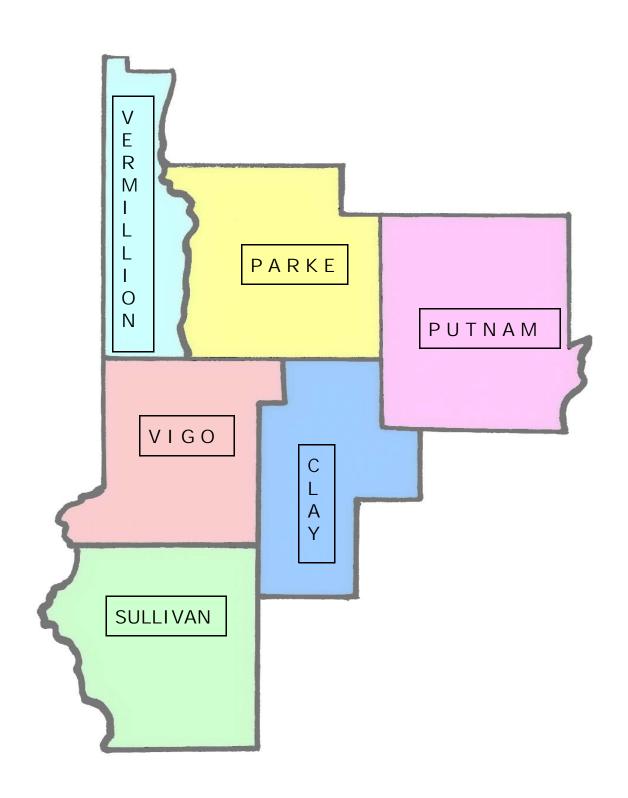


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A. Abstract

1. Summary of Current Status of Committee's Planning Process:

The Committee for the 7th District was formed in the year 1999 by Judge Adler who was appointed Chairman of the 7th District by the Indiana Supreme Court. A summary of that years planning process was documented in the 7th District's first submission (July 2000) and is attached hereto as **Appendix 1**.

A summary of the district's activities (2001) and district plan is attached hereto as **Appendix 2** which was submitted in the district's 2001 Report/2002 Plan.

The planning process for 2002 activities included, under the leadership and direction of treasurer, John Roach, a Family Law Seminar which was held on March 8, 2002 at the Holiday Inn in Terre Haute, Indiana. All attorneys within the district were notified of the seminar and invited to attend. The seminar was conducted by some of the best family law practitioners within the district. All attendees received 6 free CLE credits, a free lunch, as well as a manual containing numerous handouts, forms, case law, and other informational materials. All attendees received a booklet containing the Indiana Parenting Time Guidelines, a booklet containing the Indiana Child Support Guidelines, and a booklet containing all of the relevant Indiana dissolution statutes. Thirty-three attorneys attended the seminar with the agreement that by doing so they would voluntarily accept two family law pro bono cases within the next year.

Dave Remondini, Counsel to the Chief Justice of the Indiana Supreme Court, Randall Shepard, attended the luncheon and made general favorable comments about District 7's initiative, plan, and the seminar. Mr. Remondini took a seminar manual with all of the materials enclosed with him for the purpose of showing other districts what can be done.

A copy of the notice and the agenda for this seminar is attached

as Appendix 3.

The Corporation plans to have an awards recognition district bar association meeting in early fall. At this time, certificates of appreciation from the Corporation will be delivered to all of those attorneys who have participated in pro bono representation as well as a few select awards given to those who have contributed extraordinary time and effort in this regard. It is the hope of the Corporation that Justices from the Indiana Supreme Court and Dave Remondini can attend this joint recognition dinner as well as other notable pro bono dignitaries within the state.

Since District 7's formation, several meetings have been held, as well as Judge Adler meeting with select members of the Corporation for purposes of discussing future plans and solving problems that have occurred since the beginning of the committee and Corporation's formation. Recruitment efforts will continue as well as formal and informal meetings.

2. Mission Statement

The Mission of the District 7 Pro Bono Corporation is to promote equal access to justice for all Indiana residents, regardless of economic status, by creating and promoting opportunities for attorneys to provide pro bono civil legal services to persons of limited means, as determined by the District 7 Pro Bono Corporation.

The Corporation adopted the following general goals:

- (a) To enable Indiana attorneys to discharge their professional responsibilities to provide pro bono services;
- (b) To improve the overall delivery of civil legal services to persons of limited means by facilitating the integration and coordination of services provided by pro bono organizations and other legal assistance organizations throughout the state of Indiana.
- (c) To ensure statewide access to high quality and

timely pro bono civil legal services for persons of limited means by

- (i) fostering the development of new pro bono programs where needed and
- (ii) supporting and improving the quality of existing pro bono programs.
- (d) To foster the growth of a public service culture within the Indiana Bar which values pro bono public service.
- (e) To promote the ongoing development of financial and other resources for pro bono organizations in Indiana.

3. History of the Organization

Prior to the summer of 1999 there was no history. The past two year's submissions to the commission detailed the accomplishments of District 7. However, the following is a synopsis of what has occurred since the summer of 1999, although, the following listing is by no means exhaustive.

- In the summer of 1999 Judge Adler was appointed by the Supreme Court as Chairman of the District 7 Committee.
- Judge Adler formed the District 7 Committee pursuant to Rule.
- Numerous meetings were held with the Committee.
- District 7 letterhead designed.
- The Committee's district plan was timely submitted in early summer 2000.
- Forms were formulated the intake letters to clients and attorneys, closing letters, satisfaction forms for clients and attorneys.

- A recruitment brochure was developed.
- October 7, 2000 District Bar Association meeting was held where Supreme Court Justice Dickson and Judge Bailey attended as well as Dave Remondini to kick off recruitment.
- Recruitment brochures to all attorneys within the district were distributed.
- Brochures were designed advertising 7th District Pro Bono services with an 800 number and Terre Haute phone number.
- Judge Adler talked to all district judges about pro bono and distributed the 7th District Plan to all of them.
- Intake and screening training occurred.
- The family law mentor roster was established.
- Regular meetings occurred throughout the year 2000.
- Once IOLTA monies were received in January 2001, the following occurred:
- Telephone lines (800 and local) were installed in the Pro Bono Office, posters were distributed throughout the district, advertising of the pro bono services and phone numbers; computer Installed and set-up with data base.
- Analyzed intake/screening process and fine tuned.
- Analyzed satisfaction forms returned by clients and attorneys.
- Periodic full committee meetings with subcommittee reports.
- Judge Adler met periodically with plan administrator.
- Family law form files were accumulated and kept at pro bono office.

- Periodic review of statistics occurred during regular meetings.
- Attorney recruitment efforts continue.
- District 7 Pro Bono Corporation was formed and all paperwork filed and submitted.
- Officers to the Corporation were elected.
- 2001 Report/2002 Plan was timely submitted to the Indiana Pro Bono Commission.
- Pro se forms were developed.
- Affidavits of Indigency forms were developed.
- A letterhead for the Corporation was designed.
- By mid-March 2001 the District 7 Pro Bono Office was in operation, which was fully staffed, telephones were in operation, as well as a desk and filing cabinet; meetings were held throughout 2001; statistics analyzed, problems addressed.
- On March 8, 2002, a Family Law Seminar was held and sponsored by the District 7 Pro Bono Corporation and the Indiana Bar Foundation - 32 attorneys attended, with the agreement that by doing so they would handle two family law pro bono cases within the next 12 months.
- During the year 2002, meetings have occurred and meetings are planned in the future.
- A recognition banquet is planned for fall 2002.
- 4. Description of the Current Legal Services Delivery System

Legal Services Organization of Indiana serves all the counties

within the 7th District. Also, the Counsel on Domestic Abuse services all the counties within the district, except Putnam County. Furthermore, the administrator for the Terre Haute Bar Association attempts to help indigent clients find legal representation. She refers them to District 7 or Legal Services Organization.

A more detailed description of the providers and services within this district appears in this plan under the title, "History/Background."

5. Identification, Categorization and Prioritization of the Legal Problems Experienced by Indigent Individuals within the Counties of Your District

Based upon histories and experiences reported by judges, attorneys, Bar Association presidents, LSO attorneys who practice in the 7th District, and the statistical data collected to date (see Appendix 4), the 7th District Corporation believes that the legal needs of the indigent citizens within the District can be prioritized as follows:

- (a) Family/Domestic Cases
 - (i) Divorce
 - (ii) Visitation
 - (iii) Custody
 - (iv) Non-Support
 - (v) Chins
 - (vi) Guardianship
 - (vii) Paternity
 - (viii) Adoption
- (b) Small Claims
 - (i) Landlord/Tenant
 - (ii) Debt Collection
 - (iii) Evictions
- (c) Public Assistance Benefits
 - (i) AFDC
 - (ii) Medicaid
 - (iii) Housing
- (d) Elderly Law
 - (i) Medicare
 - (ii) Wills

- (iii) Power of Attorney
- (e) Other
 - (i) S.S.I.
 - (ii) Unemployment Compensation

Our pro bono initiative has been in existence since March of 2001 and it is clear that approximately 75% of those clients who qualify for pro bono representation have requested attorney services in the area of family law, i.e. dissolution, change of custody, emancipation, child support issues, visitation issues, and paternities.

B. Data

1. Corporation Members See Appendix 5

2. Governance

Judge Phillip I. Adler of the Vigo Superior Court was named by the Indiana Supreme Court as Chairman of the 7th District Pro Bono Committee. The 7th District has now been formed into the District 7 Pro Bono Corporation and Judge Adler serves as President. The Indiana Supreme Court recently extended Judge Adler's term an additional three years. Other officers have been elected and are serving in their various capacities. Bylaws have been adopted and signed. Board meetings have been held and minutes recorded.

The officers and directors of the Corporation serve either a 2 or 3 year term and they are staggered so that not all terms of service will expire during the same year. Designated within the roster of Corporation members is each member's term of service and expiration date. **See Appendix 5**.

3. History/Background

VIGO COUNTY

Legal Services Organization of Indiana

Legal Services Organization of Indiana services Vigo County, as well as all of the counties in the 7th District. LSOI is a non for profit organization that provides free legal services for low income people in central and southern Indiana. Most of their funding comes from the Legal Services Corporation, which receives an appropriation from Congress each year. The United Way and other private sources also provide funding. LSOI serves 59 counties with five regional offices which are located in Indianapolis, Anderson, New Albany, Evansville, and Bloomington. Each office receives applications both over the telephone and in person and the attorneys in each office review the applications. One criterion for review is the client's income and the LSOI guidelines regarding this criterion are based on 125% of federal poverty guidelines which are changed annually. If the client is determined to be financially eligible, LSOI then determines which cases it will accept by using a priority system developed by their Board of Directors. Federal law prohibits them from doing certain cases including class actions, criminal and/or fee generating cases. Beyond the federal restrictions, it is

necessary for LSOI to limit the cases they accept to those who clearly fall within the priorities and need immediate assistance. LSOI's mission statement provides, "The mission of the Legal Services Organization is to use our resources to provide poor people with a wide variety of aggressive quality legal services which will effectively help them to gain equal access to the courts and government agencies; empower them to control their lives; and impact on the major causes and effect of poverty."

LSO has what is called a Senior Project which is present in Vigo County as well as all of the other counties in District 7. Sandy Auler is a paralegal who administers this project and is employed with LSOI. To be eligible for this project, the client must be 60 years of age or older. There is no income requirement if Sandy Auler is utilized. She is authorized to answer legal questions, assist with drafting Powers of Attorney, consumer problems, housing problems, Medicare, Medicaid, Social Security, and SSI issues. Additionally, she can represent clients at administrative hearings and also handle defensive guardianships. Terry Modesitt, a Vigo County attorney, is her supervising attorney and he is on contract with LSOI. If Mr. Modesitt becomes involved in a case, then the client must be income and asset eligible per Legal Services Corporation guidelines.

The Senior Project has an office in Terre Haute. Mrs. Auler is there five days a week unless she is required to travel to one of the District 7 counties. She has a phone with voice mail capabilities and potential clients can call collect. She advises that she gets many calls concerning housing problems, consumer issues, which include credit card problems. Mrs. Auler has been with LSO since 1980.

In the area of family law issues, besides the income eligibility requirements established by LSOI, there must be an allegation of either physical or verbal abuse before LSOI will provide an attorney in dissolution and family law related matters.

Presently, there are only two attorneys on LSOI's pro bono panel from Vigo County.

The Council on Domestic Abuse services Vigo County, as well as all other counties in the 7th District, except for Putnam County. There is a CODA shelter located in Vigo County. When a client/victim contacts CODA and needs an attorney, CODA representatives screen the applicant for LSOI. They help the applicant fill out the appropriate forms and then send the forms to the Indianapolis LSOI office and also provide the client with LSOI's 800 number. The overwhelming majority of the CODA clients, who are in

need of an attorney, need one in the area of family law. Should the client be accepted by LSOI, then CODA acts as a liaison between LSOI and the client. In the event the client is not income eligible or a conflict arises and LSOI cannot accept the case, then CODA tries to locate an attorney to assist the client.

On February 1, 1999, the Terre Haute Bar Association employed an administrator, whose name is Mary Add Baker. She has an office in Terre Haute which is equipped with a telephone and answering machine. She goes to the office Monday through Thursday for between one and four hours each day, depending on the amount of work she needs to do. Prior to the formation of the District 7 Pro Bono Corporation, Mrs. Baker had a list of approximately 20 attorneys who were willing to do some pro bono work. These attorneys have gave her information as to the type of legal expertise that they possess. When Mrs. Baker received a call from someone seeking pro bono assistance, she attempted to match up the services requested with the attorney on her list that could best provide the legal assistance requested. She did not do any follow-up once the name of an attorney or attorneys was given to a person who called her requesting pro bono services and therefore it wasn't clear as to whether the client received the legal assistance needed. She advised that since she rarely got called back by the same client after she had referred them to an attorney on her pro bono list, she assumed that someone was able to help the client. Of course, now she refers the caller to the District 7 Pro Bono Office or Legal Services Organization.

PARKE COUNTY

As previously discussed above, LSOI and CODA service Parke County. There has been no organized activity or effort relative to pro bono services in Parke County. Presently, there are only two Parke County attorneys on the LSOI pro bono panel.

SULLIVAN COUNTY

As previously discussed, LSOI and CODA service Sullivan County. There has been no organized activity or effort in Sullivan County relative to pro bono services. Presently, there are only two Sullivan County attorneys on LSOI's pro bono panel for Sullivan County.

CLAY COUNTY

As previously discussed, LSOI and CODA service Clay County. There

has been no organized activity or effort relative to pro bono services in Clay County. There is only one attorney on LSOI's pro bono panel for Clay County.

VERMILLION COUNTY

As previously discussed, LSOI and CODA provide services in Vermillion County. There has been no organized activity or effort relative to pro bono services in Vermillion County. There is only one attorney on LSOI's pro bono panel for Vermillion County.

PUTNAM COUNTY

As previously discussed, LSOI services Putnam County, however, CODA is not present in Putnam County. An organization similar to CODA is present in Putnam County and it is administered by Mrs. Bonnie Cook. This is the Putnam County Family Support Services Organization. There is no shelter for victims in Putnam County. Putnam County Family Support Services may refer clients to LSO but they do not do any screening or intake. They provide clients with LSOI's 800 number.

There has been no organized activity or effort in Putnam County relative to pro bono services. Currently, there are four attorneys on LSOI's pro bono panel for Putnam County.

PRO SE LITIGATION

All courts within the 7th District have some pro se litigation, primarily in the areas of family law and small claims. Judges within the 7th District allow such litigation as long as it can be done within the guidelines of Advisory Opinion 1-97 of the Indiana Commission on Judicial Qualifications. It is assumed that a large percentage of pro se litigants cannot afford legal representation.

Many months ago, Judge Adler developed a form that is used by District 7. The District 7 Pro Bono intake staff, after interviewing a potential client, may decide that the client's legal problem could easily be resolved without the benefit of attorney representation. The intake staff member requests the client to fill out the form and send it to the appropriate court, where his or her case may be pending. The judge then reviews the form to determine whether the case can be set for hearing and whether the client requires attorney assistance. This form

has been extremely helpful to District 7 and has relieved some of the stress on the roster of pro bono attorneys. In some instances a court can handle a matter where the parties need no legal representation. These cases can include interpretation of visitation rights, recalculating child support based upon the parties' relative incomes, emancipation, or just talking to the parties to iron some problems they may be having in their post-dissolution life. This form is attached as **Appendix 6.**

4. Plan Administrator

Carrie McKillip serves as the Plan Administrator for the District 7 Pro Bono Corporation. She has been the Executive Director of the Council on Domestic Abuse for the past six years, which serves all of the counties in District 7, except Putnam County. CODA offices in Vigo, Clay, Sullivan, Parke, and Vermillion Counties, which have paid staff personnel at these offices at least two days a week. Mrs. McKillip's employees and volunteers have all been trained in screening and intake procedures for LSOI.

As Plan Administrator, Mrs. McKillip is responsible for keeping accurate records and statistics relative to clients requesting services, clients receiving services, attorneys serving as pro bono advocates, the number and types of cases handled, and the disposition of cases. Also the level of satisfaction from both the clients' and the attorneys' perspectives is monitored. The Plan Administrator and her employees are responsible for the screening and intake of cases and the matching of cases from a roster of pro bono attorneys. The Plan Administrator is responsible for maintaining a roster of attorneys willing to perform pro bono legal services. The Plan Administrator, at least on a quarterly basis, reports statistical information gathered from the previous three months to the District 7 Corporation. She reports any problems she perceives to be occurring, and makes suggestions and recommendations she may have to improve any aspects of the Plan. She also reports on budgetary matters.

CODA, by contract with the District 7 Pro Bono Corporation, receives \$15,000.00 per year for their services. This money is funded by the IOLTA grant money received by the District 7 Pro Bono Corporation in January 2002.

5. Monitoring Role - Briefly describe how the District Committee evaluates and records progress and success of the District Plan.

- (a) Quality of services provided:

 Each District 7 recipient of pro bono services is sent a client evaluation form which they are requested to fill out and return once a case is closed. See Appendix 7.
- (b) Quantity:
 - (i) number of attorneys participating
 The District 7 Pro Bono Corporation
 keeps an extensive data base containing
 detailed information relative to all pro
 bono assigned and unassigned cases.
 See Appendix 4 for statistical information
 which has been accumulated from March 1,
 2001 to June 1, 2002.
 - (ii) number of clients served

 See Appendix 4 for statistical information
 From March 1, 2001 to June 1, 2002,
 District 7 Pro Bono Corporation has
 screen 508 cases and has assigned
 160; there are 107 cases pending.
 - (iii) number of hours

 Participating pro bono attorneys are
 requested to fill out a closing document

 See Appendix 4 for this statistical data which is
 contained in the section entitled "Total
 Attorney Pro Bono hours for Closed Cases"
- (c) Costs associated with achieving goals
 It is difficult to estimate the costs associated with
 achieving our goals other than the money that we have
 spent since we began our operation in March 1 of 2001.
 This year we have spent approximately \$11,000.

C. Annual Report: Existing Services, programs, and Funding Sources -

EXISTING SERVICE/PROGRAM

Service/Program Name: Senior Legal Services Project

Legal Services Organization of Indiana Inc.

Mailing Address: 321 Ohio Street, Terre Haute, Indiana 47807

Phone: (812) 234-0753

Contact Person: Sandy Auler

Title: Paralegal/Project Coordinator

Sponsoring Agency: Legal Services Organization of Indiana,

Inc./Legal Services Corporation; West Central Indiana Economic Development District (Area 7

Agency on Aging)

Service/Program Information:

Target Population: Frail, vulnerable, elderly, institutionalized and

non-institutionalized low income persons residing

in Area 7

Eligibility Requirements: Persons 60 years of age and older residing in the 6

counties of Area 7. Must be LSOI income eligible for

services provided by the contract attorney.

Service Area: Clay, Parke, Putnam, Sullivan, Vermillion and

Vigo Counties

Type of Service/Program:

Estimate of Expense per Year: \$50,933

Funding Source(s): Legal Services Corporation: match: \$ 2,453.

Legal Services Corporation: support:\$34,078.

Project Income: \$ 500.

West Central Indiana Economic

Development District (Area 7 Agency on Aging):

\$13,902.

Service/Program Description:

The Senior Legal Services Project is a fully operative satellite office of LSOI, exclusively serving the elderly population residing in the six county area which comprises Area 7. The Senior Legal Services Project was established in 1980 through joint efforts of the Area 7 Agency on Aging and LSOI. Sandy Auler, Paralegal and Project Coordinator has been with the Project since its inception, and Terry R. Modesitt, LSOI Contract Attorney and Supervisor, has been with the Project since 1986. The paralegal works out of her Vigo County office, as well as meeting with clients in their homes, nursing homes, hospitals, nutrition sites and senior centers in the six county service area of Area 7 Agency on Aging. The paralegal is also responsible for a number of community legal education activities presented in each of the six counties. The ultimate goal of the Senior Legal Services Project is to provide quality legal services to eligible older persons in the six county area, and to assist the older person to live independently with dignity as a valued person in the environment of his or her own choice. To ensure that these goals are met, the Project has elected the following priority legal issues, which are set out in the Older Americans Act, on which it has and will continue to focus its efforts:

- 1. Long Term Care
- 2. Income Maintenance
- 3. Health
- 4. Nutrition
- 5. Housing
- 6. Utilities
- 7. Defense of Guardianship
- 8. Planning for Incapacity (includes Life Planning Advance Directives)
- 9. Consumer Issues, and in addition:
- Advice and Referral Provided for the Following Issues: Abuse;
 Neglect; Age Discrimination; Protective Services

^{*}Figures are taken from the Grant Proposal July 1, 2000 through June 30, 2001

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Service/Program Name: CODA/LSOI Family Law Access Program

Mailing Address: 1400 Hulman Street, Terre Haute, Indiana 47802

Phone: (812) 234-3441

Contact Person: Carrie McKillip

Title: Executive Director

Service/Program Information:

Target Population: Low income victims of domestic violence needing

family law assistance

Eligibility Requirements: 125% of poverty level, victim of domestic violence, and

willingness to participate in supportive services

Service Area: Clay, Parke, Sullivan, Vermillion and Vigo

Counties

Type of Service/Program:

Estimate of Expense Per Year:Approximately \$5,000 per year in LSOI and CODA staff time and attorney time Funding Source(s):CODA and LSOI General Funds

Service/Program Description:

Program provides one-on-one intake with a CODA victim advocate who faxes application to LSOI after client begins support group, LSOI then provides attorney for eligible clients, and CODA provides ongoing supportive services, and serves as a liaison between attorney and client.

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Service/Program Name: Legal Services Organization of Indiana, Inc.

Mailing Address: Market Square Center, 18th Floor, 151 N.

Delaware Street, Indianapolis, Indiana 46204

Phone: (317) 631-9410

Contact Person: Ida B. Hayes

Title: Pro Bono Coordinator

Sponsoring Agency: Legal Services Organization

Agency Director: Norman Metzger

Service/Program Information:

Target Population: Individuals meeting the LSOI income guidelines (See

table next page)

Eligibility Requirements: (See table next page)

Service Area: District 7

Type of Service/Program:

Estimate of Expense Per Year: \$500.00 per case

Funding Source(s): Legal Services Organization of Indiana

Service/program Description:

Mission Statement: To use our resources to provide poor persons with a variety of aggressive, quality legal services which will help them to gain equal access to the courts, legislative bodies and government agencies; empower them to control their lives; and impact on the major causes and effects of poverty.

LSOI INCOME GUIDELINES (Adopted by LSOI Board 3/10/00)

Rev 3/00 Regular Income Guidelines 150% Extensions		nsions				
# in Hshld	Weekly	Monthly	Yearly	Weekly	Monthly	Yearly
1	\$220.73	\$869.83	\$10,438	\$301.10	\$1304.75	\$15,657
2	\$270.44	\$1,171.92	\$14,083	\$406.66	\$1,775.88	\$21,095
3	\$340.15	\$1,474.00	\$17,688	\$510.23	\$2,211.00	\$26,532
4	\$409.87	\$1,776.08	\$21,313	\$614.80	\$2,664.13	\$31,970
5	\$479.58	\$2,078.17	\$24,938	\$719.37	\$3,117.25	\$37,407
6	\$549.29	\$2,380.25	\$28,563	\$823.93	\$3,570.38	\$42,845
7	\$619.00	\$2,682.33	\$32,188	\$928.50	\$4,023.50	\$48,282
8	\$688.71	\$2,984.42	\$35,813	\$1,033.07	\$4,476.63	\$53,720
Ea. Add.	\$69.71	\$302.08	\$3,625	\$104.57	\$453.13	\$5,438

DISTRICT 7 ANNUAL PROGRESS REPORT 2002-2003

	District Totals
Screened Cases	508
Assigned Cases	160
Closed Cases	24
Declined Cases	206
Other Cases (specify)	
Total cases per district	508
No. of Volunteer Attorneys	72

List Number of cases of Each Type	District Totals
Consumer/Finance	2
Education	0
Employment	0
Family	290
Juvenile	0
Health	0
Housing	9
Income Maintenance	
Individual Rights	
Other*	
Total Number of Cases	301

*NOTE: Appendix 4 portrays a much clearer and detailed snapshot of our progress, caseload, and results.

D. 2002-2003 Annual Plan:

1. Problem Identification

Within District 7, there is an insufficient number of attorneys, particularly in the area of family law, who are willing to handle the substantial need of indigent clients through pro bono services.

2. Supportive Data

Evidence of this problem lies in the number of individuals calling Legal Services Organization who meet LSOI guidelines for assistance, but who must be rejected due to a lack of resources. Additional evidence of the problem is the number of pro bono attorneys, or lack thereof, on the legal services list for the counties within District 7. LSOI reports having the following number of attorneys within District 7 as follows: Vigo-3, Sullivan-2, Parke-2, Clay-1, Vermillion-1, and Putnam-4.

The percentage of people in poverty in each county within District 7 is as follows: Vigo-15.1%, Putnam-9.3%, Clay-10.7%, Sullivan-12.9%, Parke-12.2%, and Vermillion-11.3% (See Appendix 8).

Further evidence of the problem is the number of individuals contacting Legal Services Organization who report that they cannot find an attorney who will work on a reduced fee basis, or "low bono." Finally, this problem manifests itself in reports from local agencies that clients are unable to obtain free, or reduced fee, legal services.

As our detailed statistics (See Appendix 4) indicate, the District 7 need is great. From March 1, 2001 to June 1, 2002, we have screened 508 cases; 160 have been assigned to pro bono attorneys; 24 cases have been closed; 107 cases are pending; and there are 171 eligible pro bono clients on our waiting list.

3. Recommended actions to address barriers and problems - what our attorneys are doing

The attorneys in District 7 have been most generous with their time in supporting our pro bono initiative. To date we have a total of 71 participating attorneys, and although more are needed, we are most appreciative of the support we have received, especially in light that our program is still in its embryonic stages. Our pro bono attorneys are representing persons of limited means through case referrals through the centralized pro bono office located in the Vigo County Courthouse

Attorneys have advised the Pro Bono Office that they are willing to act as co-counsel with other pro bono attorneys in areas of law that they have particular expertise.

On March 8, 2002 at the Holiday Inn in Terre Haute, Indiana, a Family Law Seminar was presented. Some of the best family law practitioners within the district lectured at this seminar and provided voluminous materials which were placed in a manual for all attendants. These materials included recent case law, forms, a checklist, statutory citations, and other important documents and information necessary for the pro bono family law practitioner. (See Appendix 3 for the notice of the seminar and the agenda).

Some of our best family law practitioners are also serving as mentors to other attorneys who have much less experience in this area of the law. (See Appendix 9 for mentor list for family law practitioners).

Several family law attorneys have indicated that they would be willing to serve as mediators in family law disputes and these volunteers are contacted when the circumstances arise that a mediator's intervention is necessary.

Other attorneys have signed up for our pro bono program indicating that they would be willing to serve as guardian ad litems for eligible clients.

4. Recommended Actions - what we are doing to support our participating attorneys

The central pro bono office located at the Vigo County Courthouse performs all of the intake, screening, and referral of prospective clients to our pro bono attorneys. The office matches the cases with the individual attorney's expertise in the area for which the client requests.

District 7 Pro Bono Corporation provides resources for litigation and out-of-pocket expenses such as deposition costs, publication costs, travel costs, and custody evaluators.

As previously stated, District 7 presented a Family Law Seminar on March 8, 2002 at the Holiday Inn, wherein 32 attorneys attended with the understanding that by doing so they would agree to take two family law probono cases within the next year.

The District 7 Pro Bono Office also has forms available, primarily in the area of family law, for attorneys to use, if necessary, when they initiate a family law case on behalf of an eligible client.

The District 7 Pro Bono Corporation does not provide malpractice insurance, however, it is believed that there is a statewide inquiry wherein the Indiana Pro Bono Commission or the Indiana Bar Foundation may provide statewide malpractice insurance for pro bono attorneys. To date, we have not heard anything new on this possible malpractice initiative.

The Pro Bono Office keeps detailed statistical information concerning all pro bono cases as detailed in our statistical information. (See Appendix 4).

The centralized Pro Bono Office monitors all cases and requests all clients to fill out a client satisfaction form. (See Appendix 7). Also, attorneys provide the pro bono office with a closing document. (See Appendix 10). These forms help the Corporation measure client and attorney satisfaction and improve upon the efficiency of the office and our referral and intake process.

The District 7 Pro Bono Corporation plans to have a recognition banquet for all participating pro bono attorneys in the early fall of this year. It is hoped that a member of the Indiana Pro Bono Commission and other state pro bono dignitaries will attend. At that time certificates of appreciation will be given to all participating pro bono attorneys as well as some special awards for those attorneys who have provided extraordinary time and effort in pro bono representation.

5. Expected Results

Based upon Judicial District 7 Pro Bono Corporation experience over the first 16 months of operation, it is expected that during 2003, approximately 175 low income clients will have their legal issue resolved with the assistance of the Pro Bono Program. This includes cases that are assigned to attorney as well as those who are guided to pro se for cases that may be resolved in that manner.

If a standard legal fee of \$150 per hour is assumed, and an average of 7.5 hours per case, the normal costs of these services would be over \$280,000. This does not include filing fees, depositions, fees for adoptions, interpreters, etc. Since many of these cases are family law custody cases, or divorce with custody, 7.5 hours is a very low average. The current average per assigned case is 10.5 hours. When the cases referred as pro se are added in, the average is 7.6 hours per case.

These numbers indicated that the return on investment in the pro bono program greatly exceeds the input of both human and financial resources.

6. Time-Line for Remainder of 2002

- ♦ Continue to monitor and analyze statistics
- ♦ Hold board meetings
- ♦ Judge Adler to meet periodically with plan administrator
- Plan District 7 recognition dinner for the fall 2002
- ♦ Hold recognition dinner
- ♦ Continue recruitment efforts

7. Benchmarks

The Judicial District 7 Pro Bono Program maintains statistics on a monthly basis, and monitors the following areas (See Appendix 4):

Applications taken (400)

- Assigned cases (125)
- Declined cases (200)
- Closed cases
- Pending cases

Each of the above is monitored monthly, as well as client and attorney surveys at the resolution of the case. In parenthesis are projected annual numbers to meet the stated goal.

8. Costs associated with benchmarks - This is the proposed budget

necessary for achieving the expected results.

BUDGET FORM

COST CATEGORY	IOLTA \$	OTHER \$	DONATED	TOTAL
A. Personnel Costs				
1. Lawyers			125,000	125,000
2. Paralegals				
3. Others (CODA Admin)	15,000			15,000
4. Salary Subtotal	15,000		125,000	140,000
5. Employee Benefit				
6. Total Personnel Costs	15,000		125,000	140,000
B. Non Personnel				
1. Space			6,000	6,000
2. Equipment Rental				
3. Office Supplies	600		200	800
4. Telephone	2,000			2,000
5. Travel	500			500
6. Training	1,500			1,500
7. Library				
8. Insurance				
9. Dues and Fees				

10. Audit	1,000		1,000
11. Litigation	7,000		7,000
12. Property Acquisition			
13. Purchase Payments			
14. Contract Services to Clients			
15. Contract Services to Program			
16. Other			
17. Total Non Personnel Costs	12,600	6,200	18,800
C. Total Expenditures	27,600	131,200	158,800
Project A Disbursements			
2. Project B Disbursements			
3. Project C Disbursements			
4. Total Program Disbursements			
5. Litigation Fund *			

^{*}Reserves in this category are not required to be resubmitted to the IBF if not spent during the allocation calendar year.

APPENDICES

- 1. Summary of years 1999 2000 planning process (1st)
- 2. Summary of district's activities and district plan (2nd)
- 3. Notice and agenda for Family Law Seminar
- 4. Statistical data collected to date
- 5. Corporation members
- 6. Pro se form
- 7. Client evaluation form
- 8. County profiles
- 9. Mentor list
- 10. Closing document

SUMMARY OF FIRST YEAR PLANNING PROCESS: (Mid 1999 - June 2000)

The Committee for the 7th District was formed quickly after Judge Adler was appointed Chairman of the 7th District by the Indiana Supreme Court. Several meetings occurred since the committee's formation. Committee members review Rule 6.5 of the Rules of Professional Conduct. They also reviewed the 1999 Annual Report and Plan Form. At the first full committee meeting, David Remondini, Counsel to Chief Justice Shepherd, attended and presented a slide show concerning IOLTA.

Rachel McGeever of the Indiana Bar Foundation and Kelly Davidson of Legal Services Organization attended a Terre Haute Bar Association meeting and made presentations concerning IOLTA and pro bono work. At a subsequent Terre Haute Bar Association meeting, Justice Dickson of the Indiana Supreme Court and David Remondini presented information and instruction concerning IOLTA and reminded those present of the legal professions's obligation to help those who cannot afford legal representation.

The 7th District Committee's first report due November 1, 1999, was timely filed after it had been agreed upon by he committee members.

Judge Adler formed several subcommittees to address various issues in Rule 6.5, including but not limited to, intake and screening process, budgetary matters, and recruitment of volunteer attorneys.

This 2000 Annual Pro Bono Report and Plan was adopted and approved by a majority of the 7th District Committee members.

ACTIVITIES FOR THIS PERIOD:

- Form subcommittees
- Bega formulating forms intake letters to clients and attorneys, closing letters, satisfaction forms for clients and attorneys
- Began developing recruitment brochure
- Investigate grant opportunities and prepare grant forms for submission
- Set up Pro Bono Office desk, computer filing cabinet
- Configure data base and software to track cases and accurately keep statistical information, as well as roster of pro bono attorneys
- Plan October 7th District Bar Association meeting where a Supreme Court Justice Dickson and Judge Bailey were invited to attend to kick off recruitment efforts
- Distributed recruitment brochures to all attorneys within the 7th District
- Designed posters advertising the 7th District pro bono services with 800

- number and Terre Haute phone number
- Judge Adler talked to all district judges about pro bono. The 7th District Plan was given to all judges within the district
- Intake and screening training occurred
- Established mentor roster
- Regular meetings were held during this time period

SUMMARY OF DISTRICT'S ACTIVITIES AND DISTRICT PLAN (2001):

Once District 7 received the IOLTA grant money from the Pro Bono Commission in January 2001, preparations began to set up the District 7 Pro Bono Office in the Vigo County Courthouse. A desk, filing cabinet, computer and printer, and a phone were secured. The local telephone number is 478-BONO and the toll free number is 866-966-BONO.

Intake and screening forms, pro se forms, case acceptance forms and releases, affidavits of indigency, referral and assignment forms, client and attorney evaluation satisfaction forms, closing forms, and letters were developed.

On January 17, 2001 Judge Adler sent a letter and a copy of District 7's 2000 Plan to all judges within the District requesting that they review the Plan and become familiar with all aspects. Within that letter he also announced the date of a joint District 7 bar meeting.

A letterhead for the Committee was designed, as well as a letterhead for the Corporation, once the Corporation documents were signed and filed.

The subcommittee for attorney recruitment began planning a District 7 joint Bar Association meeting. A meeting was scheduled for February 28, 2001 at Rose Hulman Institute of Technology. All attorneys and judges within the District were sent a letter of invitation. Justice Dickson of the Indiana Supreme Court, Judge Bailey of the Indiana Court of Appeals, Dave Remondini, Counsel to Chief Justice Shepherd and Kelly Davidson attended the February 28th joint bar meeting. Judge Adler spoke to the almost 100 attorneys in attendance giving an impassioned plea for their assistance and participation and briefly outlined the District 7 Pro Bono Plan. Copies of the Plan were available at this meeting for review and inspection. Justice Dickson, Judge Bailey, Dave Remondini, and Kelly Davidson also spoke at the meeting on various topics concerning Pro Bono and IOLTA and encouraged everyone to participate. In her speech that evening, Kelly Davidson said that the District 7 Plan was one of the, if not the best plan, submitted. The meeting was very well attended and very well received. Brochures, posters and Attorney Participation Forms were distributed to all in attendance. Approximately fifty attorneys signed up that evening for pro bono participation. Justice Dickson, at the end of the evening, said to Judge Adler, "Phil, I think you have something very special here. This is an amazing turn out and response."

All of our special guests from Indianapolis took brochures and posters for referral and possible distribution to other districts. There was television

coverage of the February 28th joint Bar Association meeting and interviews were conducted by Justice Dickson, committee member ,Nellie Simbol, and Judge Adler.

By mid-March 2001, the District 7 Pro Bono Office was in operation. Telephone lines were operating and the Office was properly staffed. Forms were developed and the Attorney Participation Forms were analyzed and assimilated into the computer for quick access and proper assignment. Early on, there were 66 attorneys participating in our Plan. There have been 56 cases assigned to date, 40 being in the area of Divorce and Family Law.

Since the beginning of the year there were three board meetings held where various issues were discussed. Early on, there were road blocks, however, the Corporation believed that they turned them into stepping stones for equal access to justice. Finally, Judge Adler held early morning meetings with various board members and subcommittees regarding specific areas of the Pro Bono Plan.

A FAMILY LAW SEMINAR FOR THE PRO BONO PRACTITIONER



MARCH 8, 2002 - 8:30 A.M. HOLIDAY INN, TERRE HAUTE, IN

Sponsored by the District 7 Pro Bono Corporation. Funding for this project is provided by the Indiana Bar Foundation.

THE

DISTRICT 7 PRO BONO CORPORATION PROUDLY PRESENTS

A FAMILY LAW SEMINAR

FOR THE PROBONO PRACTITIONER



MARCH 8, 2002 - 8:30 A.M. HOLIDAY INN, TERRE HAUTE. IN

What you will receive for FREE:

- 1. A minimum of 5 FREE C.L.E. credits
- 2. A binder with helpful handouts and outlines
- 3. A booklet containing the applicable Indiana statutes
- 4. A booklet containing Indiana's parenting-time guidelines and child support guidelines
- 5. FREE lunch

WHAT WE ASK IN EXCHANGE -

Those attending agree to accept only two (2) Pro Bono Family Law cases in the next twelve (12) months.

WHAT YOU NEED TO DO:

Call by February 25, 2002 and let us know if you will attend. Please call Judge Adler's Office (462-3238) and inform a staff member of your intent to attend.

Attached is the proposed agenda, which covers everything from adoptions to restraining orders.

Please join us for this informative and worthwhile FREE seminar.

SIGN UP BY CALLING JUDGE ADLER'S OFFICE

__We look forward to seeing you!

District 7 Pro Bono Corporation

FAMILY LAW SEMINAR

Friday, March 8, 2002 - 8:30 a.m. Holiday Inn, Terre Haute

Registration and Continental Breakfast begin at 7:45 a.m.

8:30 a.m. to 9:00 a.m.	JUDGE PHILLIP ADLER - Welcome, Opening Remarks and Recent Family Law Case Law Review
9:00 a.m. to 9:30 a.m.	KIM JACKSON - Vigo County Prosecutor, Paternity Testing
9:30 a.m. to 10:30 a.m.	TERI LORENZ - Checklist for child related matters and property division matters including the five factors considered in rebutting presumption of equal division of property under IC. 31-15-7-5. And, child support issues including the interplay of Social Security, allocation of college expenses, interest on delinquent support, emancipation and waiver issues
10:30 a.m. to 10:45 a.m.	BREAK
10:45 a.m. to 11:45 a.m.	MARTHA CROSSEN - Parenting Guidelines, Visitation, Guardianship, Adoption and Custodial Parent Moving 100 Miles or Out of State
11:45 a.m. to 1:00 p.m.	LUNCH
1:00 p.m. to 2:00 p.m.	BOB KONDRAS - Grandparent Visitation, Judgments, the UCCJA and the URIFSA
2:00 p.m. to 3:00 p.m.	DENNIS STARK - Custody and Change of Custody Issues and Out-of-State Moves
3:00 p.m. to 3:15 p.m.	BREAK
3:15 p.m. to 3:45 p.m.	ERIC ABEL- Paternity Issues With Forms
3:45 p.m. to 4:15 p.m.	NELLIE SIMBOL - Restraining Orders

District 7

Annual Progress Report

March 1, 2001 to June 1, 2002

	District Totals
Screened cases	<u>508</u>
Assigned cases	160
Closed cases	24
<u>Declined cases</u>	206
Pending cases	107
Total cases per district	508
Waiting list	171
Number of volunteer attorneys	<u>72</u>

Type of Law	<u>District Totals</u>
<u>Adoption</u>	<u>10</u>
<u>Bankruptcy</u>	<u>16</u>
<u>Benefits</u>	<u>13</u>
<u>Collections</u>	<u>2</u>
Custody	<u>113</u>
<u>Divorce</u>	<u>39</u>
Divorce and custody	<u>106</u>
<u>Guardianship</u>	<u>37</u>
<u>Landlord/tenant</u>	<u>9</u>
<u>Paternity</u>	<u>17</u>
Power of attorney	<u>2</u>
Support modification	<u>29</u>
Termination of parental rights	<u>5</u>
Visitation modification	<u>31</u>
<u>Will</u>	<u>1</u>
Other	78



JUDGE PHILLIP ADLER PRESIDENT Terre Haute

NELLIE SIMBOL SECRETARY Terre Haute

> JOHN ROACH TREASURER Terre Haute

DIRECTORS:

NINA ALEXANDER Newport

RICHARD BRAMER Sul I ivan

MICHAEL ELLIS Terre Haute

JUDGE SALLY GRAY Greencastle

GARY HANNER Rockville

CARRIE MCKILLIP Terre Haute

ROBERT PELL

HOPE PHILLIPS Clinton

ADVISORY COMMITTEE:

JANET CONEY Indianapol is

GEOFFREY CREASON Terre Haute

CHERYL DANBERRY Greencastle

ROBERT HELLMANN Terre Haute

> JEFF LIND Terre Haute

BETH TEVLIN



DISTRICT 7 PRO BONO CORPORATION

VIGO COUNTY COURTHOUSE-GROUND FLOOR 33 SOUTH THIRD STREET TERRE HAUTE, IN 47807 812-478-2666 1-866-966-2666

___Our letterhead denotes our officers, directors, and advisory committee

"EOUAL ACCESS TO JUSTICE"

DISTRICT 7 PRO BONO CORPORATION MEMBERSHIP

JUDGE PHILLIP I. ADLER - 3 year term; expires 10/1/2005

Vigo Superior Court Division 2

Courthouse

33 South Third Street

Terre Haute, IN 47807

Phone: 812-462-3238

Fax: 812-232-4650

Email: Bufsab2@aol.com

Judge Adler was selected by the Indiana Supreme Court to chair the 7th District Pro Bono Committee (District 7 Pro Bono Corporation). The Indiana Supreme Court appointed Judge Adler for an additional three year term of service. Judge Adler was awarded the Indiana Pro Bono Publico Award in 2001; nominated by Chief Justice Shepherd. The Indiana Supreme Court recently recommended Judge Adler to the State of New York to speak at a pro bono convocation, which he attended in June 2002.

RICHARD BRAMER - 3 year term; expires 10/1/2002

P. O. Box 83

Sullivan, IN 47882

Phone: 812-268-5832 Fax: 812-268-6624

Email: Ritch96@aol.com

Mr. Bramer, an attorney in Sullivan, Indiana, recently received the 1999 Pro Bono Public Award from the Indiana Bar Foundation.

CHERYL DANBERRY - 2 year term; expires 10/1/2003

3 East Franklin Street

Suite A

P. O. Box 654

Greencastle, IN 46135

Phone: 765-653-7246

Fax: 765-653-2194

Email: Danberry@ccrct.com

Mrs. Danberry practices law in Putnam County. She is the pro bono attorney for the CASA (Court Appointed Special Advocates) Program and has been active in pro bono services.

NINA ALEXANDER - 2 year term; expires 10/1/2004

Clay County Prosecutor's Office Courthouse 609 E National Avenue Brazil IN 47834

Phone: 812-448-9028 Fax: 812-443-1019

Miss Alexander is the Chief Deputy Prosecuting Attorney of Clay County and lives in Vermillion county.

GARY HANNER - 2 year term; expires 10/1/2004

101 South Jefferson

P. O. Box 122

Rockville, IN 47872-0122

Phone: 765-569-3122 Fax: 765-569-2260

Email: ghanner@abcs.com

Mr. Hanner is an attorney practicing law in Parke County and has been actively involved in pro bono services. He is currently the attorney for the Parke County Family and Children Services.

JUDGE BLAINE AKERS - 2 year term; expires 10/1/2004

601 East National

Brazil, IN 47834

Phone: 812-448-9031 Fax: 812-448-8370

Email: balaw 110@aol.com

Judge Akers has practiced law since 1984 and previously served as Chief Deputy Prosecuting Attorney in Putnam and Clay counties. Judge Akers has served as Judge of the Clay Superior Court since January 1, 2000.

MICHAEL T. ELLIS - 2 year term; expires 10/1/2003

518 Wabash Avenue Terre Haute, IN 47807

Phone: 812-234-9000 Fax: 812-234-4323

Email: elo9000@aol.com

Mr. Ellis is an attorney practicing law in Vigo County and is a former Deputy Prosecuting Attorney and currently a Public Defender.

SALLY GRAY - 3 year term; expires 10/1/2002 1884 S. 500 West

Greencastle, IN 46135 Phone: 765-653-4863 Fax: 765-653-0222

Email: rsgray@indy.tds.net

Judge Gray is a former LSOI managing attorney as well as a former Superior Court Judge. She now is a Senior Judge.

JEFF LIND - 3 year term; expires 10/1/2002

511 Wabash Avenue Terre Haute, IN 47807 Phone: 812-232-2000

Fax: 812-235-6013

Email: jeff@fleschnerlaw.com

Mr. Lind is an attorney practicing law in Vigo County. He is the past chairman of the lolta Committee for the Indiana Bar Foundation. He is also secretary of the Indiana Bar Foundation and past member of the Board of Governors of the Indiana State Bar Association.

GEOFF CREASON - 2 year term; expires 10/1/2003

505 Ohio Street

Terre Haute IN 47807 Phone: 812-232-0092 Fax: 812-232-2826

Email: 99csjclaw@aol.com

Mr. Creason is an attorney practicing law in Vigo County and has been a contract attorney with the Legal Services Organization of Indiana.

NELLIE SIMBOL - 3 year term; expires 10/1/2002

76 Ohio Street

Terre Haute, IN 47807 Phone: 812-238-2109 Fax: 812-238-9907

Email: n/a

Miss Simbol is an attorney practicing law in Vigo County and is on the State Pro Bono Commission, serves on the Indiana Bar Foundation, and is a past president of the Equal Justice Fund. She is also a contract attorney with the Legal Services Organization of Indiana.

JOHN ROACH - 3 year term; expires 10/1/2002 33 South 6th Street

Terre Haute, IN 47807 Phone: 812-232-0107 Fax: 812-232-3414

Email: John@MannLawFirm.com

Mr. Roach is an attorney practicing law in Vigo County who is interested in pro bono services.

JANET CONEY - 3 year term; expires 10/1/2002 Marquet Square Center, 18th Floor 151 North Delaware Street Indianapolis, IN 46204 Phone: 317-631-9410

Fax: 317-631-9775

Email: N/A

Ms. Coney is an attorney with LSOI who has handled pro bono cases in all the counties in the 7th District except Parke.

BETH TEVLIN - 3 year term; expires 10/1/2002 Wabash Valley Community Foundation 2901 Ohio Boulevard Terre Haute, IN 47803 Phone: 812-232-2234

Fax: 812-234-4853

Email: beth@WVCF.com

Mrs. Tevlin is the Executive Director of the Wabash Valley Community Foundation. She serves on the District 7 Pro Bono Corporation as a community-at-large representative.

CARRIE McKILLIP - 3 year term; expires 10/1/2002

1400 Hulman

Terre Haute, IN 47802 Phone: 812-234-3441 Fax: 812-232-0870

Email: n/a

Mrs. McKillip is the Executive Director of the Counsel on Domestic Abuse which serves Vigo, Parke, Clay, Sullivan, and Vermillion counties. She serves on the District 7 Pro Bono Corporation as a community-at-large representative.

HOPE PHILLIPS - 3 year term; expires 10/1/2002 2049 W. 1300 S. Clinton, IN 47842

Phone: 765-832-3893 Fax: n/a Email: n/a
Miss Phillips is a past recipient of pro bono services and serves on the District 7 Pro Bono Corporation in that capacity.



is only a phone call away!

The following family law practitioners have graciously agreed to be mentors for the District 7 Pro Bono Corporation:

Eric Abel	238-2121	

Martha Crossen 238-2109

Kal Ellis 234-9000

Bob Kondras 232-9691

Teri Lorenz 232-9691

Nellie Simbol 238-2109

Dennis Stark 232-2000